

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE NO. 5:13-cr-32(MTT)
	:	
<u>HINTON, et al.</u>	:	

AFFIDAVIT OF JAMES HINTON

HOUSTON COUNTY

STATE OF GEORGIA

Personally appeared James Hinton, who after being sworn states under oath:

1.

Affiant is over the age of 18 and is legally competent to give this affidavit.

2.

This affidavit is based on my personal knowledge of the facts stated below.

3.

I am aware that this affidavit is to be presented to the Court in the above matter in conjunction with a motion for recusal of Judge Treadwell filed on my behalf.

4.

This criminal matter involves allegations that I and the other individuals named in the Indictment willfully did all or some of the following: conspired to violate the civil rights of prisoners at Macon State Prison by subjecting prisoners to cruel and unusual punishment, violated the civil rights of prisoners at Macon State Prison by subjecting them to cruel and unusual punishment, conspired to obstruct justice, and obstructed justice.

5.

I am aware that Judge Marc Treadwell, while a private practicing attorney, served as lead counsel for plaintiff prisoners who sued personnel of the Georgia Department of Corrections and the Georgia Department of Corrections, while I was employed as a corrections officer by that State agency.

6.

I am aware that the allegations made by these prisoners and their counsel, including Marc Treadwell, were the same or substantially similar allegations as those made by the government in the present criminal prosecution, including but not limited to allegations that department personnel did the following: violated the civil rights of prisoners by subjecting them to cruel and unusual punishment and attempted to hide or cover up their actions.

7.

I am aware that Judge Marc Treadwell conveyed to me and the other individuals present at the pre-trial conference in this matter that he was familiar with the conditions inside Georgia prisons from his past experience.

8.

Judge Treadwell stated in part his opinions regarding the allegations of the government in this case at the pre-trial conference.

9.

It is my opinion based on the foregoing that Judge Marc Treadwell has a personal bias or prejudice against me in this matter and/or in favor of the government.

10.

It is my opinion that Judge Marc Treadwell cannot preside in this matter without there being, at a minimum, an appearance of impropriety.

11.

It is my desire that an impartial judge preside over the criminal prosecution against me, and I do not waive any grounds for recusal of Judge Marc Treadwell or any other district judge who should be recused in this matter.

AFFIANT FURTHER SAYETH NOT.

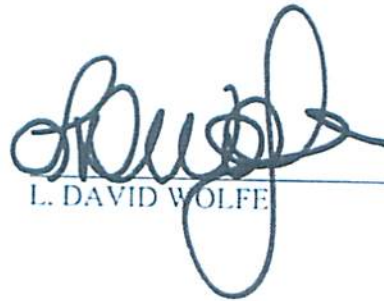

JAMES HINTON

Sworn to and subscribed before me
this 23rd day of May, 2014.

Becky M. Aug
Notary Public, State of Georgia
My Commission Expires: 9-23-16

Pursuant to 28 U.S.C. § 144, counsel for James Hinton hereby certifies that the foregoing affidavit is made in good faith.

This 23RD day of May, 2014.


L. DAVID WOLFE

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE NO. 5:13-cr-32(MTT)
	:	
<u>HINTON, et al.</u>	:	

AFFIDAVIT OF CHRISTOPHER HALL

Marion COUNTY
STATE OF GEORGIA

Personally appeared CHRISTOPHER HALL, who after being sworn states under oath:

1.

Affiant is over the age of 18 and is legally competent to give this affidavit.

2.

This affidavit is based on my personal knowledge of the facts stated below.

3.

I am aware that this affidavit is to be presented to the Court in the above matter in conjunction with a motion for recusal of Judge Treadwell filed on my behalf.

4.

This criminal matter involves allegations that I and the other individuals named in the Indictment willfully did all or some of the following: conspired to violate the civil rights of prisoners at Macon State Prison by subjecting prisoners to cruel and unusual punishment, violated the civil rights of prisoners at Macon State Prison by subjecting them to cruel and unusual punishment, conspired to obstruct justice, and obstructed justice.

5.

I am aware that Judge Marc Treadwell, while a private practicing attorney, served as lead counsel for plaintiff prisoners who sued personnel of the Georgia Department of Corrections and the Georgia Department of Corrections.

6.

I am aware that the allegations made by these prisoners and their counsel, including Marc Treadwell, were the same or substantially similar allegations as those made by the government in the present criminal prosecution, including but not limited to allegations that department personnel did the following: violated the civil rights of prisoners by subjecting them to cruel and unusual punishment and attempted to hide or cover up their actions.

7.

I am aware that Judge Marc Treadwell conveyed to me and the other individuals present at the pre-trial conference in this matter that he was familiar with the conditions inside Georgia prisons from his past experience.

8.

Judge Treadwell stated in part his opinions regarding the allegations of the government in this case at the pre-trial conference.

9.

It is my opinion based on the foregoing that Judge Marc Treadwell has a personal bias or prejudice against me in this matter and/or in favor of the government.

10.

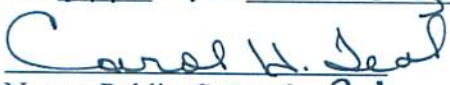
It is my opinion that Judge Marc Treadwell cannot preside in this matter without there being, at a minimum, an appearance of impropriety.

11.

It is my desire that an impartial judge preside over the criminal prosecution against me, and I do not waive any grounds for recusal of Judge Marc Treadwell or any other district judge who should be recused in this matter.

AFFIANT FURTHER SAYETH NOT.


CHRISTOPHER HALL

Sworn to and subscribed before me
this 21st day of May, 2014.

Notary Public, State of GA
My Commission Expires: 4-11-2015



Pursuant to 28 U.S.C. § 144, counsel for Christopher Hall hereby certifies that the foregoing affidavit is made in good faith.

This 23rd day of May, 2014.


C. BRIAN JARRARD
Ga. Bar No. 389497

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE NO. 5:13-cr-32(MTT)
	:	
HINTON, et al.	:	

AFFIDAVIT OF RONALD P. LACH, JR.

BIBB COUNTY

STATE OF GEORGIA

Personally appeared Ronald P. Lach, Jr. who after being sworn states under oath:

1.

Affiant is over the age of 18 and is legally competent to give this affidavit.

2.

This affidavit is based on my personal knowledge of the facts stated below.

3.

I am aware that this affidavit is to be presented to the Court in the above matter in conjunction with a motion for recusal of Judge Marc T. Treadwell filed on my behalf.

4.

This criminal matter involves allegations that I and the other individuals named in the Indictment willfully did all or some of the following: conspired to violate the civil rights of prisoners at Macon State Prison by subjecting prisoners to cruel and unusual punishment, violated the civil rights of prisoners at Macon State Prison by subjecting them to cruel and unusual punishment, conspired to obstruct justice, and obstructed justice.

5.

I am aware that Judge Treadwell, while a private practicing attorney, served as lead counsel for plaintiff prisoners who sued personnel of the Georgia Department of Corrections and the Georgia Department of Corrections.

6.

I am aware that the allegations made by these prisoners and their counsel, including Marc T. Treadwell, were the same or substantially similar allegations as those made by the Government in the present criminal prosecution, including but not limited to allegations that department personnel did the following: violated the civil rights of prisoners by subjecting them to cruel and unusual punishment and attempted to hide or cover up their actions.

7.

I am aware that Judge Marc T. Treadwell conveyed to me and the other individuals present at the May 14, 2014 Pretrial conference in this matter that he was familiar with the conditions inside Georgia prisons from his past experience.

8.

Judge Treadwell stated in part his opinions regarding the allegations of the government in this case at the pre-trial conference.

9.

It is my opinion based on the foregoing that Judge Marc T. Treadwell has a personal bias or prejudice against me in this matter and/or in favor of the Government.

10.

It is my opinion that Judge Marc T. Treadwell cannot preside in this matter without there being, at a minimum, an appearance of impropriety.

11.

It is my desire that an impartial judge preside over the criminal prosecution against me, and I do not waive any grounds for recusal of Judge Marc T. Treadwell or any other district judge who should be recused in this matter.

AFFIANT FURTHER SAYETH NOT.



Ronald P. Lach, Jr.
Ronald P. Lach, Jr.

Sworn to and subscribed before me
this 20th day of May 2014.

Robert L. D.
Notary Public, State of Georgia
My Commission Expires: 2/6/17

Pursuant to 28 U.S.C. § 144, counsel for Ronald P. Lach, Jr. hereby certifies that the foregoing affidavit is made in good faith.

This 20th day of May, 2014.

Debra G. Gómez
Debra G. Gómez, Esq.

**IN THE UNITED STATES DISTRICT COURT FOR THE
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UNITED STATES OF AMERICA	:	
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HINTON, <i>et al.</i>	:	

AFFIDAVIT OF DELTON C. RUSHIN

BIBB COUNTY

STATE OF GEORGIA

Personally appeared Delton C. Rushin, who after being sworn states under oath:

1.

Affiant is over the age of 18 and is legally competent to give this affidavit.

2.

This affidavit is based on my personal knowledge of the facts stated below.

3.

I am aware that this affidavit is to be presented to the Court in the above matter in conjunction with a motion for recusal of Judge Treadwell filed on my behalf.

4.

This criminal matter involves allegations that I and the other individuals named in the Indictment willfully did all or some of the following: conspired to violate the civil rights of prisoners at Macon State Prison by subjecting prisoners to cruel and unusual punishment, violated the civil rights of prisoners at Macon State Prison by subjecting them to cruel and unusual punishment, conspired to obstruct justice, and obstructed justice.

5.

I am aware that Judge Marc Treadwell, while a private practicing attorney, served as lead counsel for plaintiff prisoners who sued personnel of the Georgia Department of Corrections and the Georgia Department of Corrections.

6.

I am aware that the allegations made by these prisoners and their counsel, including Marc Treadwell, were the same or substantially similar allegations as those made by the government in the present criminal prosecution, including but not limited to allegations that department personnel did the following: violated the civil rights of prisoners by subjecting them to cruel and unusual punishment and attempted to hide or cover up their actions.

7.

I am aware that Judge Marc Treadwell conveyed to me and the other individuals present at the pre-trial conference in this matter that he was familiar with the conditions inside Georgia prisons from his past experience.

8.

Judge Treadwell stated in part his opinions regarding the allegations of the government in this case at the pre-trial conference.

9.

It is my opinion based on the foregoing that Judge Marc Treadwell has a personal bias or prejudice against me in this matter and/or in favor of the government.

10.

It is my opinion that Judge Marc Treadwell cannot preside in this matter without there being, at a minimum, an appearance of impropriety.

11.

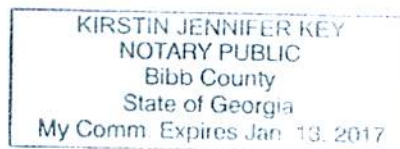
It is my desire that an impartial judge preside over the criminal prosecution against me, and I do not waive any grounds for recusal of Judge Marc Treadwell or any other district judge who should be recused in this matter.

AFFIANT FURTHER SAYETH NOT.


DELTON C. RUSHIN

Sworn to and subscribed before me
this 21st day of MAY, 2014.


Notary Public, State of Georgia
My Commission Expires:



Pursuant to 28 U.S.C. § 144, counsel for Delton C. Rushin hereby certifies that the foregoing affidavit is made in good faith.

This 21st day of May, 2014.


John Philip Fox
Georgia Bar No. 272522
Counsel for Defendant Rushin
FOX & SMITH, LLC
P.O. Box 209
Macon, GA 31202-0209
(478) 787-0258
john@foxandsmith.com

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA :
 :
v. : CASE NO. 5:13-cr-32(MTT)
 :
HINTON, *et al.* :

AFFIDAVIT OF

BIBB COUNTY

STATE OF GEORGIA

Personally appeared DERRICK D. WIMBUSH, who after being sworn states under oath:

1.

Affiant is over the age of 18 and is legally competent to give this affidavit.

2.

This affidavit is based on my personal knowledge of the facts stated below.

3.

I am aware that this affidavit is to be presented to the Court in the above matter in conjunction with a motion for recusal of Judge Treadwell filed on my behalf.

4.

This criminal matter involves allegations that I and the other individuals named in the Indictment willfully did all or some of the following: conspired to violate the civil rights of prisoners at Macon State Prison by subjecting prisoners to cruel and unusual punishment, violated the civil rights of prisoners at Macon State Prison by subjecting them to cruel and unusual punishment, conspired to obstruct justice, and obstructed justice.

5.

I am aware that Judge Marc Treadwell, while a private practicing attorney, served as lead counsel for plaintiff prisoners who sued personnel of the Georgia Department of Corrections and the Georgia Department of Corrections.

6.

I am aware that the allegations made by these prisoners and their counsel, including Marc Treadwell, were the same or substantially similar allegations as those made by the government in the present criminal prosecution, including but not limited to allegations that department personnel did the following: violated the civil rights of prisoners by subjecting them to cruel and unusual punishment and attempted to hide or cover up their actions.

7.

I am aware that Judge Marc Treadwell conveyed to me and the other individuals present at the pre-trial conference in this matter that he was familiar with the conditions inside Georgia prisons from his past experience.

8.

Judge Treadwell stated in part his opinions regarding the allegations of the government in this case at the pre-trial conference.

9.

It is my opinion based on the foregoing that Judge Marc Treadwell has a personal bias or prejudice against me in this matter and/or in favor of the government.

10.

It is my opinion that Judge Marc Treadwell cannot preside in this matter without there being, at a minimum, an appearance of impropriety.

11.

It is my desire that an impartial judge preside over the criminal prosecution against me, and I do not waive any grounds for recusal of Judge Marc Treadwell or any other district judge who should be recused in this matter.

AFFIANT FURTHER SAYETH NOT.

Derrick D. Wimbush
DERRICK D. WIMBUSH

Sworn to and subscribed before me
this 21st day of MAY, 2014.

[Signature]
Notary Public, State of FLORIDA
My Commission Expires:



Pursuant to 28 U.S.C. § 144, counsel for DERRICK D. WIMBUSH hereby certifies that the foregoing affidavit is made in good faith.

This 21 day of May, 2014.

Franklin J. Hogue
FRANKLIN J. HOGUE

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE NO. 5:13-cr-32(MTT)
	:	
HINTON, et al.	:	

AFFIDAVIT OF TYLER GRIFFIN

Personally appeared Tyler Griffin, who after being sworn states under oath:

1.

Affiant is over the age of 18 and is legally competent to give this affidavit.

2.

This affidavit is based on my personal knowledge of the facts stated below.

3.

I am aware that this affidavit is to be presented to the Court in the above matter in conjunction with a motion for recusal of Judge Treadwell filed on my behalf.

4.

This criminal matter involves allegations that I and the other individuals named in the Indictment willfully did all or some of the following: conspired to violate the civil rights of prisoners at Macon State Prison by subjecting prisoners to cruel and unusual punishment, violated the civil rights of prisoners at Macon State Prison by subjecting them to cruel and unusual punishment, conspired to obstruct justice, and obstructed justice.

5.

I am aware that Judge Marc Treadwell, while a private practicing attorney, served as lead counsel for plaintiff prisoners who sued personnel of the Georgia Department of Corrections and the Georgia Department of Corrections.

6.

I am aware that the allegations made by these prisoners and their counsel, including Marc Treadwell, were the same or substantially similar allegations as those made by the government in the present criminal prosecution, including but not limited to allegations that department personnel did the following: violated the civil rights of prisoners by subjecting them to cruel and unusual punishment and attempted to hide or cover up their actions.

7.

I am aware that Judge Marc Treadwell conveyed to me and the other individuals present at the pre-trial conference in this matter that he was familiar with the conditions inside Georgia prisons from his past experience.

8.

Judge Treadwell stated in part his opinions regarding the allegations of the government in this case at the pre-trial conference.

9.

It is my opinion based on the foregoing that Judge Marc Treadwell has a personal bias or prejudice against me in this matter and/or in favor of the government.

10.

It is my opinion that Judge Marc Treadwell cannot preside in this matter without there being, at a minimum, an appearance of impropriety.

11.

It is my desire that an impartial judge preside over the criminal prosecution against me, and I do not waive any grounds for recusal of Judge Marc Treadwell or any other district judge who should be recused in this matter.

AFFIANT FURTHER SAYETH NOT.

_____

Sworn to and subscribed before me
this 23rd day of May, 2014.



Pursuant to 28 U.S.C. § 144, counsel for Tyler Griffin hereby certifies that the foregoing
affidavit is made in good faith.

This 23rd day of May, 2014.

_____